IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1123 OF 2006

Dashrath Dattatraya Patil ..Applicant.
V/s
State of Maharashtra ..Respondent.

Mr. Kuldeep S. Patil for the applicant.
Miss. S.D. Shinde, A.P.P. for the State.

CORAM : V.M. KANADE, J.
DATE : 27TH MARCH, 2006.

P.C.

. Heard the learned Counsel for the applicant and the learned APP for the State.

2. The applicant was arrested in connection with the offence punishable under section 302, 147, 148, 149 of Indian Penal Code and Sec. 37(1), 135 of the Mumbai Police Act.

3. It is alleged that the applicant and others assaulted deceased with wooden rods. The medical evidence reveals one injury on the head of the deceased. The other accused who had played similar roles were released by Sessions Judge by the order dated 19th

December, 2005.

4. I have perused the statements of the witnesses. The charge sheet has been filed. In my view, there is one injury on the head of the deceased. There is no probability that all the accused had assaulted the deceased with wooden rods. The applicant is therefore, entitled to be released on bail.

5. The applicant be released on bail in the sum of Rs. 10,000/- with one or two sureties in the like amount. He shall report once in a month to Poynad Police Station.

[V.M. KANADE, J.]